



# Case Management/Electronic Case Filing Newsletter



U.S. Bankruptcy Court  
Western District of Pennsylvania

## Special E-mail Accounts for CM/ECF

Since e-mail notification is a crucial element of CM/ECF, there are several options available to attorneys that will enhance this process.

Options for attorneys include:

- The first and most important is to check their e-mail each morning for notices from the Court.
- For reliability and backup concerns, it is recommended that each attorney establish an IMAPI e-mail account – which is often referred to as a true Internet e-mail account. This is an account established through a web address and not through an Internet provider (ISP). Such accounts are provided at no cost by sites such as [www.yahoo.com](http://www.yahoo.com) and [www.excite.com](http://www.excite.com) (just to mention two). These accounts can be accessed from any computer connected to the Internet (even a computer at a library) and the user can check their e-mail. These providers, especially the two mentioned above, spend millions of dollars on backup and reliability procedures. Thus, even if an attorney's own ISP is down, the e-mail would get through to the IMAPI account and the attorney could access the account from any computer.
- Be sure to enter both a primary and secondary e-mail account in their account information in CM/ECF – especially if the secondary account was an IMAPI account. This way, even if their Internet or e-mail provider is down, the e-mail will go to the IMAPI account.
- Once the secondary (IMAPI) account is established, do not give that address out to any other service or person. This will insure that this account will receive only Court notices and thus will be easy to monitor. With this same concept in mind, it would be good to establish the IMAPI account as the primary address and have it be the address that is always monitored for notices.



September, 2003

Volume 1, Issue 4

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## Training Update

A total of 1150 total people have been trained to use the CM/ECF system.

Location	Attorneys	Staff	Total
Pittsburgh	562	375	937
Erie	117	96	213



## Login and Password = Signature

ECF Procedure # 8 states that the user login and password required to submit documents to the Electronic Filing System serve as the Filing User's signature on all electronic documents filed with the Court.

## Documents Filed Late

The Court requests that documents be filed well in advance of the scheduled hearing date. Documents filed electronically are reviewed by the case administrators and courtroom deputies the next business day. Documents filed the day before a hearing may not be reviewed by the courtroom deputy until after the hearing. If a document must be filed the day before a hearing, please notify the courtroom deputy of the filing immediately.

“Documents filed the day before a hearing may not be reviewed by the courtroom deputy until after the hearing.”

## Forms Available in a WordPerfect Format

The following forms are available in both PDF and WordPerfect format on the Court's Website:

The Chapter 13 Plan (Local Form No. 9), Proof of Claim, and a blank Disclosure Statement.

## Version 2 of CM/ECF to be Implemented This Fall

The Court is operating on Version 1.8 of the CM/ECF software developed by the Administrative Office of the United States Courts. The Court will be upgrading to the latest version of the software this fall. A special edition of this Newsletter will be published to discuss changes that will affect filers.



# Rule Changes Regarding Social Security Number of Debtor

At its September 2002 session, the Judicial Conference approved proposed amendments to the Federal Rules of Bankruptcy Procedure and the Official Bankruptcy Forms which will implement the Conference policy on privacy and public access to electronic court files. Barring Congressional action, these amendments will take effect December 1, 2003. Key changes include the following:

1. The petition, Official Form 1, will contain only the last four digits of an individual debtors' Social Security numbers. (Federal Rule of Bankruptcy Procedure 1005 - Caption of Petition).
2. Amendments to Rule 1007 will require debtors to submit (not file) a verified statement containing the full nine-digit social security number. Federal Rule of Bankruptcy Procedure 1007 (f). In a voluntary case, the debtor shall submit the statement with the petition.
3. The new Statement of Social Security Number will not be filed in the case or become part of the case file available to the public at the court or over the Internet.
4. Rule 2002 will be amended to require the Clerk to include the debtor's full Social Security number in the copy of the section 341 meeting of creditors notice, Official Form 9, sent to creditors, the debtor, the trustee, and the United States trustee or bankruptcy administrator. The copy of the section 341 notice included in the court case file, however, will contain only the last four digits of the Social Security number. (Rule 2002 (a)(1)).
5. The debtor's Social Security number will no longer be displayed on the public docket report or the case look-up in CM/ECF for non-court users.
6. Official Form 10, Proof of Claim, will require a wage creditor to disclose only the last four digits of the creditor's Social Security number. Subtotals for unsecured, secured, and priority will be added to the box for the total amount of the claim and a box will be added to the proof of claim for unsecured nonpriority claims.
7. Official Form 16A, the full caption, will be amended to include only the last four digits of any debtor's Social Security number. Accordingly, subsequent notices (after the section 341 notice) will either include the last four digits or none, if Official Form 16B, the short caption is used.

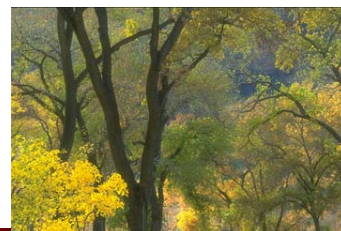
**Filers — not the Clerk or Court — are responsible for redacting Social Security numbers and other personal identifiers such as dates of birth, financial account numbers, and names of minor children in documents they file with the court.**

You can view more information about the new rules at <http://www.uscourts.gov/rules/index/html>. Click on "Pending Rules Amendments Awaiting Final Action" and then select "Amendments submitted to the Judicial Conference (Sept. 2002)."



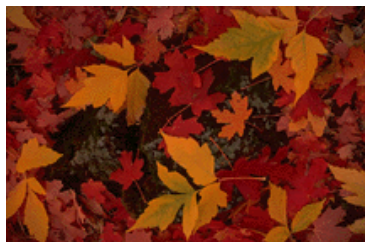
## Notes from the Helpdesk: CM/ECF Practice Tips

1. Motions and applications have been filed that fail to include the full case caption. The name of the debtor, and movant/plaintiff or respondent/defendant should be in the caption of the motion. See Local Rule 9004-1 concerning captions of pleadings and orders.
2. Local Rule 9004-1 also requires filers to add docket numbers and hearing dates and times on all answers, responses, briefs, replies and certificates of service.
3. Judge Fitzgerald requires that a Certificate of No Objection (Local Form No. 22) or a Certificate of Counsel (Local Form No. 23) be filed when the moving party does not receive a response to a motion or application. This is for all matters - not just matters that were formerly self scheduled .
4. Pittsburgh attorneys are using Judge Fitzgerald's name on proposed orders for Erie cases assigned to Judge Bentz. Judge Bentz's name should be included on orders for cases that he has been assigned.
5. Judge Bentz and Judge Fitzgerald allow attorneys to schedule hearings from published lists. The hearing notice must be filed as a separate entry.
6. Attorneys need to remember to change the divisional office to "Erie" when electronically filing documents in the Erie divisional office. Case opening for bankruptcy petitions and adversary proceedings default to "Pittsburgh."
7. Adversaries should not be filed at the main case number. Select Adversary/ Open AP case. Docketing the event "Complaint" at the main case number will not open an adversary proceeding.
8. The Judge assigned to the main bankruptcy case should be added to the adversary case when plaintiff's attorney is opening the adversary proceeding.
9. The Declaration re: Electronic Filing must be submitted on paper to the Clerk's Office. It should not be filed electronically. Include the case number on the Declaration re: Electronic Filing.
10. Credit card information on file with the Clerk must be updated whenever the original card expires or the card is discontinued. The original card information is destroyed by the Clerk when a new card number is submitted.
11. Attorneys should submit their evaluation within two weeks of training. Attorneys are forgetting what they learned in class, because they are not using the CM/ECF system.
12. As soon as the Court issues a login and password to CM/ECF, attorneys should update their account information. In particular, an e-mail address must be entered for the user, and the "Daily Summary" option must be selected when completing the e-mail information. Electronic notice cannot be completed if the attorney fails to include an e-mail address.



## Notes from the Helpdesk: CM/ECF Practice Tips (Contd.)

13. When opening a case, remove the Government Proof of Claim & Statement of Intentions Deadlines if they are not needed.
14. Certificates of Service that are filed as part of a motion should be included in the same PDF file as the motion. Please do not file the motion in one PDF file and attach the certificate of service separately.
15. Orders should be filed as an attachment to the motion. Some motions erroneously include the order as a portion of the PDF file containing the motion.
16. When filed at a date later than the motion, Certificates of Service must be linked to the motion and notice setting hearing.
17. In conformance with the Clerk's Conventions Guide that is discussed during the CM/ECF training class, place periods after initials.
18. A county must be picked when opening a case.
19. The petition, schedules and statement should be filed in the order specified in Local Rule 1002-2 .
20. Chapter 11, 12 and 13 cases should always be classified as asset cases.
21. Upload the creditor matrix when opening the case if it is available. Some attorneys are forgetting to upload the matrix when filing a complete petition.
22. Choose the one option for Schedules A to J (instead of each schedule item) when an incomplete petition is filed and all the schedules are due.
23. Filers should pick the "Petition Complete" entry when completing their petition instead of picking each item that is being filed.
24. Transcripts are now available on the case docket for Pittsburgh division cases.
25. The Proof of Income should not be electronically filed. Local Rule 1007-4 requires the debtor to deliver a copy of the proof of income to the trustee. An affidavit in substantial conformity with Local Form No. 4 must be electronically filed. The Court does not want the Proof of Income available on the docket, because it may contain confidential information such as the debtor's social security number.



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**U.S. Bankruptcy Court  
Western District of  
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**We're On  
The Web**

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## **Amendment Cover Sheet**

An "Amendment Cover Sheet" (Local Form No. 5) must be filed as an attachment to any amendment made to the debtor's petition, lists, schedules, or statements. In addition, Local Rule 1009-1 D states: All amendments shall include:

- (1) a caption indicating that the document is an "Amendment to (SPECIFY)";
- (2) a clear description of the material added or deleted; and
- (3) a certificate of service by the debtor or debtor's attorney that notice has been given as required by the Federal Rules of Bankruptcy Procedure and the Local Rules.

The Amendment Cover Sheet may also serve as the certificate of service.

